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3                   UNITED STATES DISTRICT COURT  
4                   EASTERN DISTRICT OF WASHINGTON

5                   ENID RIVERA-RODRIGUEZ,  
6

7                   Plaintiff,

8                   v.

9                   CAROLYN W. COLVIN,  
10                  Commissioner of Social Security,

11                  Defendant.

12                  No. 1:15-CV-3086-JTR

13                  ORDER GRANTING STIPULATED  
14                  MOTION FOR REMAND  
15                  PURSUANT TO SENTENCE FOUR  
16                  OF 42 U.S.C. § 405(g)

17                  BEFORE THE COURT is the parties' stipulated motion to remand the  
18                  above-captioned matter to the Commissioner for additional administrative  
19                  proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 17.  
20                  Attorney D. James Tree represents Plaintiff; Special Assistant United States  
21                  Attorney Daphne Banay represents Defendant. The parties have consented to  
22                  proceed before a magistrate judge. ECF No. 4. After considering the file and  
23                  proposed order, **IT IS ORDERED:**

24                  1.         The parties' Stipulated Motion For Remand, **ECF No. 17**, is  
25                  **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the  
26                  Commissioner of Social Security for further administrative proceedings pursuant to  
27                  sentence four of 42 U.S.C. § 405(g).

28                  On remand, the administrative law judge (ALJ) shall: (1) further consider  
whether Plaintiff meets or equals a listing, including listing 12.05(C); (2) further  
consider and specify the reasons for the weight given to the opinions of Vicente R.  
Lopez, M.Ed., Tr. 653-659, 1094-1101, 1184-1186, Christopher Clark, LMHC, Tr.

1 1011-1016, and Nancy Schwarzkopf, ARNP, Tr. 726-727, 729-730; (3) reevaluate  
2 Plaintiff's residual functional capacity; (4) reassess Plaintiff's credibility pursuant  
3 to S.S.R. 96-7; and, if necessary, (5) reassess steps four and five of the sequential  
4 evaluation process with the assistance of a vocational expert. The ALJ will hold a  
5 new hearing and take any other actions necessary to develop the record, and  
6 Plaintiff may submit additional evidence and present additional argument.

**2. Judgment shall be entered for PLAINTIFF.**

3. Plaintiff's Motion for Summary Judgment, **ECF No. 16**, is

## **STRICKEN AS MOOT.**

4. An application for attorney fees may be filed by separate motion.

The District Court Executive is directed to enter this Order, forward copies to counsel, and **CLOSE THE FILE**.

DATED March 11, 2016.



*M*  
JOHN T. RODGERS  
UNITED STATES MAGISTRATE JUDGE